

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the INVENTION ENTITLED

BIOCIDAL PROTEINS

the specification of which (CHECK applicable BOX(ES))

- X -> is attached hereto.
 X -> was filed on January 4, 1993 as U.S. Application No. 08 / 002,480
 BOX(ES) -> was filed as PCT International Application No. PCT/ on
 -> -> and (if applicable to U.S. or PCT application) was amended on

I hereby state that I have reviewed and understand the contents of the above identified specification, including (to the best of my ability) the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56. I hereby claim foreign priority benefits under 35 U.S.C. 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate filed by me or my assignee disclosing the subject matter claimed in this application and having a filing date (1) before that of the application on which priority is claimed, or (2) if no priority claimed, before the filing date of this application:

PRIOR FOREIGN APPLICATION(S)

Number	Country	Day/MONTH/Year Filed	Date first Laid-open or Published	Date Patented or Granted	Priority Claimed
9118523.1	Great Britain	29 August 1991			Yes <u>X</u> No <u> </u>
9203038.6	Great Britain	13 February 1992			Yes <u>X</u> No <u> </u>
9213526.8	Great Britain	25 June 1992			Yes <u>X</u> No <u> </u>

I hereby claim the benefit under 35 U.S.C. 120/365 of all United States applications listed below and PCT international applications listed above or below and, if this is a continuation-in-part (CIP) application, insofar as the subject matter disclosed and claimed in this application is in addition to that disclosed in such prior applications, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of each such prior application and the national or PCT international filing date of this application:

PRIOR U.S. OR PCT APPLICATION(S)

Application No. (series code/serial no.)	Day/MONTH/Year Filed	Status
PCT/GB92/01570	27 August 1992	Pending, abandoned, patented

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint Cushman, Darby & Cushman, 1100 New York Avenue, N.W., Ninth Floor, Washington, D.C. 20005-3918, telephone number 861-3000 (to whom all communications are to be directed), and the below-named persons (of the same address) individually and collectively my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent, and I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Cushman, Darby & Cushman in writing to the contrary.

Paul N. Kokulis	16773	Edward M. Prince	22429	Peter W. Gowdy	25872	Nancy J. Linck	31920
Raymond F. Lippitt	17519	Donald B. Deaver	23048	Dale S. Lazar	28872	Scott C. Harris	32030
G. Lloyd Knight	17698	David W. Brinkman	20817	Glenn J. Perry	28458	Michelle N. Lester	32331
Carl G. Love	18781	George M. Sirilla	18221	Kendrew H. Colton	30368	Jeffrey A. Simenauer	31933
Lawrence A. Hymo	19057	William T. Bullinger	25503	Chris Comuntzis	31097	Mary J. Wilson	32955
Edgar H. Martin	20534	Donald J. Bird	25323	Wallace G. Walter	27843		
William K. West, Jr.	22057	W. Warren Taltavull	25647	Lawrence Harbin	27644		
Kevin E. Joyce	20508	Watson T. Scott	26581	Paul E. White, Jr.	32011		

1. INVENTOR'S SIGNATURE: Willem Frans Broekaert Date 3 March 1993
 Inventor's Name (typed) Willem First F. Middle Initial Family Name Broekaert Country of Citizenship Belgium

Residence (City) Dilbeek (State/Foreign Country) Belgium
 Post Office Address (Include Zip Code) Levoldlaan 18, b-1700 Dilbeek, Belgium

2. INVENTOR'S SIGNATURE: Bruno Philippe Ange Camme Date 8 March 1993
 Inventor's Name (typed) Bruno First P.A. Middle Initial Family Name Cammé Country of Citizenship Belgium

Residence (City) Alemburg (State/Foreign Country) Belgium
 Post Office Address (Include Zip Code) J.B. Woutersstraat 109A, B-1652 Alemburg, Belgium

3. INVENTOR'S SIGNATURE: Rupert W. Osborn Date 3 March 1993
 Inventor's Name (typed) Rupert First W. Middle Initial Family Name Osborn Country of Citizenship England

Residence (City) Middlesex (State/Foreign Country) England
 Post Office Address (Include Zip Code) 36 Warwick Road, Twickenham, Middlesex, TW2 6SW, England

4. INVENTOR'S SIGNATURE: Sarah B. Rees Date 3 March 1993
 Inventor's Name (typed) Sarah First B. Middle Initial Family Name Rees Country of Citizenship England

Residence (City) Berkshire (State/Foreign Country) England
 Post Office Address (Include Zip Code) 32 Micheldever Way, Forest Park, Bracknell, Berkshire RG12 3XX, England

(FOR ADDITIONAL INVENTORS, check box and attach sheet (CDC-116.2) for same information for each re signature, name, date, citizenship, residence and address)
 CDC-116 1/93

DECLARATION AND POWER OF ATTORNEY

(continued)

ADDITIONAL INVENTORS:

5) INVENTOR'S SIGNATURE Franky Raymond Gerard Termer Date 8 March 1993

Inventor's Name (type)	<u>Franky</u>	R.G.	<u>Terras</u>	<u>Belgium</u>
First		Middle Initial	Family Name	Country of Citizenship

Residence (City)	<u>Amzegem</u>	(State/Foreign Country)	<u>Belgium</u>
------------------	----------------	-------------------------	----------------

Post Office Address (Include Zip Code)	<u>Schaagstraat 96, B-8570 Anzegem, Belgium</u>		
--	---	--	--

6) INVENTOR'S SIGNATURE Jozef Vander Leyden Date 8 March 1993

Inventor's Name (type)	<u>Jozef</u>	Vanderleyden	<u>Belgium</u>	
First		Middle Initial	Family Name	Country of Citizenship

Residence (City)	<u>Heverlee</u>	(State/Foreign Country)	<u>Belgium</u>
------------------	-----------------	-------------------------	----------------

Post Office Address (Include Zip Code)	<u>Kastanjelaan 12, B-3001 Heverlee, Belgium</u>		
--	--	--	--

7) INVENTOR'S SIGNATURE _____ Date _____

Inventor's Name (type)	First	Middle Initial	Family Name	Country of Citizenship
------------------------	-------	----------------	-------------	------------------------

Residence (City)	(State/Foreign Country)			
------------------	-------------------------	--	--	--

Post Office Address (Include Zip Code)				
--	--	--	--	--

8) INVENTOR'S SIGNATURE _____ Date _____

Inventor's Name (type)	First	Middle Initial	Family Name	Country of Citizenship
------------------------	-------	----------------	-------------	------------------------

Residence (City)	(State/Foreign Country)			
------------------	-------------------------	--	--	--

Post Office Address (Include Zip Code)				
--	--	--	--	--

9) INVENTOR'S SIGNATURE _____ Date _____

Inventor's Name (type)	First	Middle Initial	Family Name	Country of Citizenship
------------------------	-------	----------------	-------------	------------------------

Residence (City)	(State/Foreign Country)			
------------------	-------------------------	--	--	--

Post Office Address (Include Zip Code)				
--	--	--	--	--

10) INVENTOR'S SIGNATURE _____ Date _____

Inventor's Name (type)	First	Middle Initial	Family Name	Country of Citizenship
------------------------	-------	----------------	-------------	------------------------

Residence (City)	(State/Foreign Country)			
------------------	-------------------------	--	--	--

Post Office Address (Include Zip Code)				
--	--	--	--	--

FOR ADDITIONAL INVENTORS, check box and attach sheet with same information and signature and date for each.

37 C.F.R. 1.56(a) (Rule 56(a))
PATENT AND TRADEMARK CASES - RULES OF PRACTICE
DUTY OF DISCLOSURE

(a) A duty of candor and good faith toward the Patent and Trademark Office rests on the inventor, on each attorney or agent who prepares or prosecutes the application and on every other individual who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application. All such individuals have a duty to disclose to the Office information they are aware of which is material to the examination of the application. Such information is material when there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent. The duty is commensurate with the degree of involvement in the preparation or prosecution of the application.

PATENT LAWS 35 U.S.C.

§ 102. Conditions for patentability; novelty and loss of right to patent

A person shall be entitled to a patent unless—

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent or
- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States, or
- (c) he has abandoned the invention, or
- (d) the invention was first patented or caused to be patented, or was the subject of an Inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or Inventor's certificate filed more than twelve months* before the filing of the application in the United States, or
- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent, or
- (f) he did not himself invent the subject matter sought to be patented, or
- (g) before the applicant's invention thereof the invention was made in this country by another who had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other.

§ 103. Condition for patentability; non-obvious subject matter

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made. Subject matter developed by another person, which qualified as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

* Six months for Design Applications (35 U.S.C. 172).